

Express Mail Label No. EV392163323US

Date of Deposit: July 6, 2004

Attorney Docket No: 21486-038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Calabresi, *et al.*

SERIAL NUMBER: 09/802,094

EXAMINER: Yaen, Christopher H.

FILING DATE: March 8, 2001

ART UNIT: 1642

FOR: COMBINATION DRUG THERAPY

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Boston, Massachusetts

July 6, 2004

Request for Continued Examination Under 37 CFR § 1.114

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application. This RCE is being filed in response to the Office Action mailed January 5, 2004 in the above-identified application. Applicant herein requests continued examination of Application No. 09/802,094. Included with this request are the required elements:

1. Response and Amendment (9 pgs)
2. Request for Extension of Time (1 pg.);
3. Check No. 18935 in the amount of \$385.00 to cover the RCE fee;
4. Check No. 18936 in the amount of \$475.00 to cover the Extension fee;
5. Return Postcard

The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0311, Reference No. 21486-038. A duplicate copy of this Request is enclosed.

I A Beattie

Ingrid A. Beattie, Reg. No. 42,306

Attorney for Applicant

MINTZ, LEVIN, COHN, FERRIS

GLOVSKY and POPEO, P.C.

One Financial Center

Boston, Massachusetts 02111

Tel: (617) 542-6000

Customer No. 30623

07/08/2004 CNGUYEN 00000021 09802094

01 FC:2801

385.00 OP

Express Mail Label No.: EV392163323US
Date of Deposit: July 6, 2004

Attorney Docket No. 21486-038



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Calabresi, *et al.*

SERIAL NUMBER: 09/802,094

EXAMINER: Yaen, Christopher H.

FILING DATE: March 8, 2001

ART UNIT: 1642

FOR: COMBINATION DRUG THERAPY

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Boston, Massachusetts
July 6, 2004

RESPONSE AND AMENDMENT

This Response and Amendment is submitted in response to the Office Action mailed January 5, 2004 in the above-identified patent application. With a three-month extension of time, these documents are due on or before Tuesday, July 6, 2004 (July 5, 2004 being a federal holiday). Applicants submit herewith a Petition for a Three-Month extension of time, along with the appropriate fee. Accordingly, Applicants believe no fees are due in connection with this filing. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21486-038.

Applicants submit this paper in conjunction with a Request for Continued Examination under 37 CFR § 1.114 and the required fee under 37 C.F.R. §1.17(e). This paper constitutes a proper submission in accordance with 37 C.F.R. §1.114(c).

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.